

**Notice of Allowability**

Application No.	Applicant(s)	
10/691,717	KAWACHIYA ET AL.	
Examiner	Art Unit	
Christopher A. Daley	2111	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 10/1/07.
  2.  The allowed claim(s) is/are 1-13, 15, 17, 19 and 21-24.
  3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some\*    c)  None    of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.
- Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**
4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.  
(a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached  
    1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.  
(b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of  
    Paper No./Mail Date \_\_\_\_\_.  
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
  6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO/SB/08),  
    Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
    of Biological Material
5.  Notice of Informal Patent Application
6.  Interview Summary (PTO-413),  
    Paper No./Mail Date \_\_\_\_\_
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_

  
**MARK H. RINEHART**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**

## DETAILED ACTION

1. Claims 1-13, 15, 17, 19, 21-24 are pending.

### ***Allowable Subject Matter***

2. Claims 1-13, 15, 17, 19, 21-24 are allowed.
3. The following is a statement of reasons for the indication of allowable subject matter: The prior art of record does not suggest the manner of operation as follows for independent claims 1,15, and 19:
  - i) a prioritized information processing unit information storage area for storing information for identifying a prioritized information processing unit that is to execute writes for acquiring a contended resource by using normal write instructions;
  - ii) a prioritized exclusion right information storage area for storing information indicating whether the prioritized information processing unit is trying to acquire the contended resource; and
  - iii) a non-prioritized exclusion fight information storage area for storing non-prioritized exclusion right information that indicates whether a non-prioritized exclusion right has been acquired by a non-prioritized information processing unit, a plurality of non-prioritized information processing units mutually exclusively acquiring a non-prioritized exclusion right by a first process using the information in the non-prioritized exclusion right information storage area to determine that the non-prioritized exclusion fight information has not yet been stored, the non-prioritized exclusion right indicating a candidate for acquiring the contended resource, the first process executing writes by using compare-and-

swap instructions; and a prioritized information processing unit identified by the prioritized information processing unit information storage area acquiring the contended resource by a second process to the exclusion of the non-prioritized information processing unit having acquired the non- prioritized exclusion right, the exclusion being determined from the non-prioritized exclusion right information storage area, updating the information in the prioritized exclusion right information storage area to indicate that the prioritized information processing unit is trying to acquire the contended resource, the second process executing writes by using normal write instructions. The Examiner notes that Applicant specifically points out and argues these aspects of the controller operation with respect to the claimed invention on pages 15 – 20. Thus the claims are interpreted in light of the specification as argued by Applicant with regard to patentability over the prior art of record.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher A. Daley whose telephone

number is 571 272 3625. The examiner can normally be reached on 9 am. - 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on 571 272 3632. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Christopher Daley  
Examiner  
Technology Center 2100  
12/04/07

*CD*

